HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 24360 OF 2006

DATED: 24.11.2006

Between:

Smt. K.V.V. Sitharavamma

… Petitioner

and

State of Andhra Pradesh
Department of Revenue (Land Acquisition)
Represented by District Collector,
Krishna District and others

… Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.24360 OF 2006

ORAL ORDER:

The petitioner's lands in an extent of Ac.1.85 cents in R.S.No.201/1, Tarigoppula village, Nuzvid Mandal, Krishna District, were proposed for acquisition by the issuance of a notification under Section 4 (1) of the Land Acquisition Act, 1894 (for short 'the Act') dated 11.8.2006.

The 1st respondent delegated to the 2nd respondent the powers vested with the 1st respondent under Section 4 (2) of the Act and authorized the 2nd respondent to conduct an enquiry under Section 5-A of the Act. Notice was also issued to the petitioner on 25.8.2006, calling for objections for considering the same under Section 5-A of the Act. The enquiry was scheduled on 14.9.2006. According to the petitioner, on 14.9.2006 when the petitioner appeared, the 3rd respondent was conducting the enquiry and was informed that the 2nd respondent had deputed the 3rd respondent to conduct the enquiry. The petitioner submitted her written objections to the 2nd respondent

on 30.10.2006, which was a follow up of an earlier set of objections submitted to the 2nd respondent. Apprehending that no decision would be taken by the competent authority under Section 5-A (2) of the Act and even without communicating the decision taken under Section 5-A (2) to the petitioner, a declaration under Section 6 (1) would be issued, the writ petition is filed.

In the circumstances stated in the writ petition and after hearing the learned Government Pleader for Land Acquisition also, the writ petition is disposed of directing the competent authority, so authorized under the provisions of Section 5-A of the Act, to consider the objections submitted by the petitioner, take an appropriate decision and to communicate the same to the petitioner by Registered Post Acknowledgment Due and till then, not to take any steps for issuing a declaration under Section 6 of the Act. There shall be no order as to costs.

GODA RAGHURAM, J

Date: 24.11.2006
cvm